

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRANSPORTES NAVIEROS Y :
TERRESTRES, S.A. DE C.V. :
: Plaintiff, :
: : Civil Action No. 07-3076
- against - : Judge Preska
: :
FAIRMOUNT HEAVY TRANSPORT N.V., :
: :
: Defendant, :
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TNT'S MOTION FOR RECONSIDERATION

NOW INTO COURT, through undersigned counsel, comes Plaintiff, Transportes Navieros Y Terrestres, S.A. ("TNT"), and respectfully MOVES pursuant to Fed. R. Civ. P. 59 and 60 for reconsideration of the Court's Memorandum and Order entered on July 9, 2007 and for entry of an order reinstating the full amount of TNT's attachment, on the grounds and for the reasons stated in the accompanying memorandum.

In the alternative, should the Court determine that reconsideration is not warranted, TNT respectfully MOVES for an Order setting the amount of a reasonable appellate bond to prevent enforcement of the Court's Order of July 9 pending appeal;

TNT further MOVES for an Order extending the stay of execution of the Court's

Order entered July 9 until such time as the Court has ruled upon the instant motion to reconsider and, if necessary, has afforded TNT a reasonable time for obtaining a bond to prevent enforcement of the Court's prior order pending appeal in an amount set by the Court.

The Plaintiff,
TRANSPORTES NAVIEROS Y
TERRESTRES, S.A. DE C.V.

By: /s Alfred J. Rufty III

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